

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

AUGUST KINGBIRD,

Case No. 19-CV-0452 (NEB/DTS)

Plaintiff,

v.

ORDER ACCEPTING REPORT AND
RECOMMENDATION

THOMAS ROY, EMILY JOHNSON
PIPER, NANCY JOHNSTON, LORI
SWANSON, MINNESOTA ATTORNEY
GENERAL'S OFFICE, MINNESOTA
SENTENCING COMMISSION, and
JANE AND JOHN DOES, in their official
and individual capacities,

Defendants.

The Court has received the May 9, 2019 Report and Recommendation of United States Magistrate Judge David T. Schultz. [ECF No. 4 ("R&R").] No party has objected to that R&R, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation [ECF No. 4] is ACCEPTED;
2. The action is DISMISSED WITHOUT PREJUDICE under Federal Rule of Civil

Procedure 41(b) for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 14, 2019

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge